

Appliance Efficiency Regulations)
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- (1) are based on reasonable use patterns;

- (2) apply to appliances whose use requires a significant amount of energy on a statewide basis;
- (3) require efficiencies that are feasible and attainable; and
- (4) do not result in any added total costs to the consumer over the designed life of the appliances concerned.

B. The Administrative Procedure Act. The adopted regulations:

- (1) will not result in a significant statewide adverse impact directly affecting business, including the ability of California businesses to compete with businesses in other states;
- (2) will not create or eliminate a significant number of jobs in California;
- (3) will not create new businesses, eliminate existing businesses, or have an effect on the expansion of businesses in California;
- (4) will not impose costs on private persons;
- (5) will impose no direct costs or direct or indirect requirements on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with Section 17500) of the Government Code;
- (6) will result in no costs or savings in federal funding to the State;
- (7) will not affect housing costs;
- (8) will have no significant adverse effect on businesses in general or small businesses in particular;
- (9) will have no significant costs that a representative person or business would incur in compliance (\$360 per year per appliance for appliance manufacturers); and
- (10) have no alternatives that would be more effective in carrying out the purposes of the Warren-Alquist Act without increasing burdens, or that would be as effective and less burdensome in carrying out the purposes.

C. The California Environmental Quality Act. The adopted regulations will not result in a direct, or reasonably foreseeable indirect, significant adverse effect on the environment.

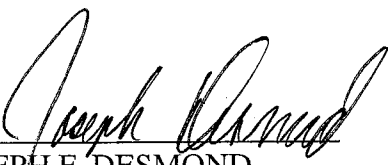
III. CONTINUATION OF DELEGATION OF AUTHORITY TO THE EFFICIENCY COMMITTEE; DIRECTIVES TO THE COMMITTEE

The Commission continues in effect its delegation to the Efficiency Committee (Vice Chair Pfannenstiel, Presiding Member, and Commissioner Rosenfeld, Associate Member) of the authority to take, on behalf of the Commission, all actions reasonably necessary to have the adopted regulations go into effect, including, but not limited to, incorporating any changes approved at the October 19, 2005, hearing into the final Express Terms submitted to the Office of Administrative Law ("OAL"); making any appropriate nonsubstantive, editorial-type changes; and preparing and filing all appropriate documents, such as the Final Statement of Reasons at OAL.

This rulemaking is a continuation of a previous rulemaking that culminated in an Adoption Order on December 15, 2004 (Order No. 04-1215-08). In that Order we directed the Efficiency Committee to examine various issues and report back to us. The Committee has resolved most of the issues in the regulations that we are adopting today, but a few difficult matters, mainly relating to revised efficiency standards for lighting equipment, remain outstanding. Therefore, this rulemaking proceeding shall remain in effect for the consideration of those matters and other issues the Committee finds appropriate (e.g., the availability of metal halide luminaire equipment to meet the adopted 2008 standard and potential "Tier 2" standards).

Dated: October 19, 2005

ENERGY RESOURCES
CONSERVATION AND
DEVELOPMENT COMMISSION


JOSEPH F. DESMOND
Chairman

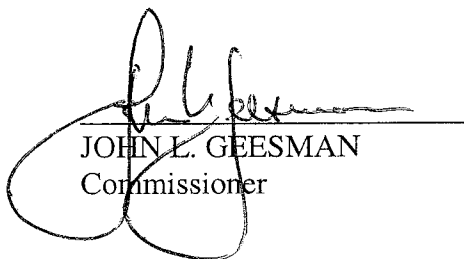
Absent

JACKALYNE PFANNENSTIEL
Vice Chair


ARTHUR H. ROSENFELD
Commissioner

Absent

JAMES D. BOYD
Commissioner


JOHN L. GEESMAN
Commissioner

Errata for the Appliance Efficiency Regulations'
15-Day Language Dated September 30, 2005

October 19, 2005 Business Meeting Agenda, Item #4

Docket No. 05-AAER-1

1. Page 1, Section 1601. Scope – In the first paragraph, first sentence, the comma should be removed that currently exists between the words “vehicles” and “or”.
2. Page 48, Section 1603. Testing: All Appliances – In paragraphs 1603(c)(1) and 1603(c)(2), reference is made to “10 CFR section 430.27(k)(1) (2005)”. This citation should actually read “10 CFR section 430.27(*l*) (2005)”.
3. Page 65, Section 1604. Test Methods for Specific Appliances – Paragraph (k), Lamps, the reference that reads “The test method for federally-regulated general service fluorescent lamps, state-regulated general service incandescent lamps, and federally-regulated incandescent reflector lamps is 10 CFR Section 430.231 (~~2004~~2005).” This last reference should actually read 10 CFR Section 430.23(*r*) (~~2004~~2005).
4. Page 153, Table V, Section N – For Metal Halide Luminaires, in the column titled “Permissible Answers”, where there is currently a choice of answers including “Vertical, Horizontal, Universal, Other (specify)”, the choice of “Vertical” should be replaced by the two possible choices of “Vertical Base-Up” and “Vertical Base-Down”.
5. Page 178, Section 1608. Compliance, Enforcement, and General Administrative Matters – Paragraph (e)(3), “Optional Method of Determining Energy or Water Performance”, the reference to 10 CFR Part 431, Appendix B to Subpart G (2005) should actually read 10 CFR Part 431, Appendix *A* to Subpart *K* (2005).
6. Page 179, Section 1608. Compliance, Enforcement, and General Administrative Matters – At the end of the section, under “the following standards are incorporated by reference in Section 1608”, the reference to 10 CFR Part 431, Appendix B to Subpart G (2005) should actually read 10 CFR Part 431, Appendix *A* to Subpart *K* (2005).